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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/785,312	02/20/2001	Franciscus Richard Blom	142-360P	1993

2292 7590 04/02/2002

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EXAMINER

BUDD, MARK OSBORNE

ART UNIT	PAPER NUMBER
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2834

DATE MAILED: 04/02/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

785 312

Applicant(s)

Blom

Examiner

M. Budd

Group Art Unit

2834

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

Period for Response

A SHORTENED STATUTORY PERIOD FOR RESPONSE IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a response be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for response specified above is less than thirty (30) days, a response within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for response is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to respond within the set or extended period for response will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- ☐ Responsive to communication(s) filed on _____.
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 1-10 is/are pending in the application.
- ☐ Of the above claim(s) _____ is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 1-10 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☒ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been received.
- ☒ received in Application No. (Series Code/Serial Number) 09/235549.
- ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

Attachment(s)

- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 2 (2-20-01)
- ☐ Notice of References Cited, PTO-892
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Interview Summary, PTO-413
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Other _____

Office Action Summary

Serial Number: 09/785,312

Art Unit: 2834

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1-3 and 8 are rejected under 35 U.S.C. 102(a) as being anticipated by Japan (100) (figs. 3 & 5).

In figure of 3 of Japan the structure of active and inactive regions is shown with the collector or take out electrodes provided as claimed. Applicant asserts that the common electrode 11 exhausts only on the outer surfaces and therefore does not alternate with the signal and auxiliary electrodes i.e. some signal and/or auxiliary electrodes are not adjacent common electrodes. The examiner is unable to confirm or refute applicants position due to the fuzzy schematic nature of fig. 3. However, fig. 5 of Japan (1200) clearly shows that the ground (common) electrode #11 is interleaved between every signal and dummy electrode. Thus Japan (100) clearly anticipates these claims.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Serial Number: 09/785,312

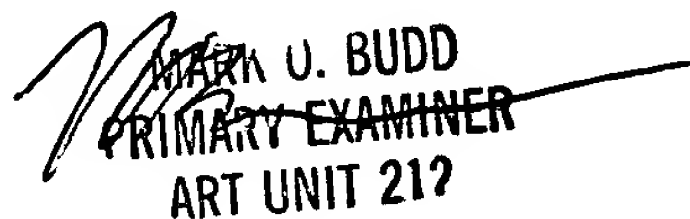
Art Unit: 2834

Claims 4-7, 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Japan (100), Naka or Prior art in view of Uehara, Dibbern or Okumura.

Japan (100) (fig. 3) Naka (fig. 16) and the Prior Art (applicant's fig. 4) teach the basic piezoelectric actuator except for the specific lead arrangements. Each of Uehara, Aibbern and Okumura teach that location of electrode leads in piezoelectric transducers is a matter of convenience and expediency. As demonstrated, the leads can be brought to a single top surface (Okumura) and/or multiple side locations at the designer's discretion. Such choices are a matter of obvious design options as would be apparent to one of ordinary skill in the art. The length of the piezo element relative to the ink channel is also a routine design consideration. (Note e.g. Europe (939) fig. 9).

Budd/ds

03/30/02


MARK U. BUDD
PRIMARY EXAMINER
ART UNIT 212